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James Dzurenda, Brian Williams,
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRANDYN GAYLER,

Plaintiff,

vs.

HIGH DESERT STATE PRISON, et al.,

Defendants.

CASE NO. 2:17-cv-02429-JAD-GWF

**MOTION FOR AN EXTENSION OF
TIME TO FILE A JOINT INTERIM
STATUS REPORT (FIRST REQUEST)**

Defendants, James Dzurenda, Brian Williams, and Perry Russell, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Katlyn M. Brady, Deputy Attorney General, requests this Court grant a fourteen (14) day extension of time to file a joint interim status report.

This Court should grant Defendants' motion for an extension of time to file a joint status report. To date, Defendants have not received any information from Plaintiff regarding the estimated trial length or trial availability. Undersigned counsel is in the process of arranging a telephonic meeting to discuss this information. Accordingly, Defendants request a short extension to file the joint interim status report.

I. BACKGROUND

On August 27, 2019, this Court entered a scheduling order. ECF No. 18. The Court ordered the parties to submit an Interim Status Report on or before December 19, 2019. *Id.* To date, Plaintiff has not contacted undersigned counsel to provide the necessary

1 information or discuss the possibility of using the Short Trial Program. *See* Declaration of
2 Counsel, attached as Exhibit A. Accordingly, undersigned counsel is in the process of
3 arranging a telephonic conference to discuss these issues. *Id.* However, the conference
4 cannot be completed before the December 19, 2019, deadline.

5 **II. APPLICABLE LAW**

6 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), this Court may extend the
7 time to perform an act within a specific time for good cause shown.

8 **III. LEGAL ARGUMENT**

9 This Court should grant Defendants' motion to extend the deadline to file a Joint
10 Interim Status Report. To date, Plaintiff has not contacted undersigned counsel to prepare
11 a Joint Interim Status Report. Accordingly, undersigned counsel is in the process of
12 arranging a telephonic meeting to discuss the Joint Interim Trial Report. Good cause exists
13 to extend the deadline based on the parties' inability to meet concerning this filing.
14 Defendants therefore request this Court grant the parties until January 2, 2020 to file a
15 Joint Interim Status Report.

16 **IV. CONCLUSION**

17 This Court should grant an extension of deadline to file a Joint Interim Status
18 Report. Counsel is diligently working to complete the Joint Interim Status report, but has
19 been unable to do so.

20 DATED this 19th day of December, 2019.

21 Respectfully submitted,

22 AARON D. FORD

23 Attorney General

24 By: /s/ Katlyn M. Brady

25 Katlyn M. Brady (Bar No. 14173)

26 Deputy Attorney General

27 *Attorneys for Defendants*

28 IT IS SO ORDERED.

29 
30 U.S. MAGISTRATE JUDGE

Dated: December 23, 2019